

Substitute form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

1

of

5

Complete If Known

Application Number	09/963,340
Filing Date	September 24, 2001
First Named Inventor	Mark Conkling
Group Art Unit	1838
Examiner Name	Russell Kallis
Attorney Docket Number	5051.338CT

U.S. PATENTS AND PATENT PUBLICATIONS

Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)		
RK	1.	4,751,348		Russell et al.	06/14/1988
	2.	4,943,674		Houck et al.	07/1990
	3.	4,962,028		Bedbrook et al.	10/1990
	4.	5,097,025		Benfey et al.	03/1992
	5.	5,157,115		Taniguchi	10/1992
	6.	5,177,308		Barton et al.	01/1993
	7.	5,179,022		Sanford et al.	01/1993
	8.	5,204,253		Sanford et al.	04/1993
	9.	5,229,292		Stock et al.	07/1993
	10.	5,371,015		Sanford et al.	12/1994
	11.	5,478,744		Sanford et al.	12/1995
	12.	5,580,722		Foulkes et al.	12/1996
	13.	5,665,543		Foulkes et al.	09/1997
	14.	5,683,985		Chu et al.	11/1997
	15.	5,716,780		Edwards et al.	02/1998
	16.	5,843,720		Tangney et al.	12/1/1998
	17.	5,846,720		Foulkes et al.	12/1998
	18.	5,863,733		Foulkes et al.	01/1999
	19.	5,976,793		Foulkes et al.	11/1999
	20.	6,060,310		Cho-Chung	5/9/2000
	21.	6,077,992		Yadav	6/20/2000
	22.	6,136,799	6,136,799	Foulkes et al.	10/2000
	23.	6,165,712		Foulkes et al.	12/2000
	24.	6,203,976		Foulkes et al.	03/2001
	25.	6,262,033		Morishita et al.	7/17/2001
	26.	6,423,520		Conkling et al.	7/23/2002
	27.	6,586,661		Conkling et al.	7/1/2003
	28.	6,907,887		Conkling	06/21/2005
	29.	6,911,541		Conkling	06/28/2005
	30.	2003/0018997		Conkling et al.	01/23/2003
	31.	2003/0140366		Conkling et al.	07/24/2003
	32.	2004/0031074		Conkling et al.	02/12/2004
	33.	2004/0103454		Conkling et al.	05/27/2004
	34.	2004/0168211		Conkling et al.	08/26/2004

FOREIGN PATENT DOCUMENTS

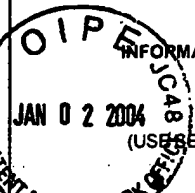
Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation
		Office	Number	Kind Code (if known)			
RK	35.	CA	2,032,443			06/20/1991	
RK	36.	CA	2,248,622			03/23/1999	
RK	37.	CA	2,325,344			10/21/1999	

Examiner Signature

/Russell Kallis/

Date Considered
07/10/2006

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 5051-338	APPLICATION NO. 09/021,286
 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (USE SEVERAL SHEETS IF NECESSARY)		APPLICANT Conkling et al.	
		FILING DATE 10 February 1998	GROUP 1638

U.S. PATENT DOCUMENTS

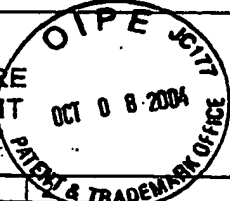
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	54	4,693,976	09/15/87	Schilperoort			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	55	0 116 718 A1	29.08.84	European Patent Office				
	56	0 120 515 A2	03.10.84	European Patent Office				
	57	0 120 515 B1	03.10.84	European Patent Office				
	58	0 120 516 A2	03.10.84	European Patent Office				
	59	0 131 620 B1	23.01.85	European Patent Office				
	60	0 131 623 B1	06.03.91	European Patent Office				
	61	0 131 624 B1	23.01.85	European Patent Office				
	62	0 140 308 A2	08.05.85	European Patent Office				
	63	0 140 308 A3	08.05.85	European Patent Office				
	64	0 140 308 B1	08.05.85	European Patent Office				
	65	0 159 779 B1	30.10.85	European Patent Office				
	66	0 176 112 B1	02.04.86	Patent Cooperation Treaty EP				
	67	0 189 707 B1	06.08.86	European Patent Office				
	68	0 223 399 A1	27.05.87	European Patent Office				
	69	0 223 399 B1	27.05.87	Patent Cooperation Treaty EP				
	70	0 224 287 A1	03.06.87	European Patent Office				
	71	0 240 208 A2	07.10.87	European Patent Office				
	72	0 240 208 A3	07.10.87	European Patent Office				
	73	0 240 208 B1	07.10.87	European Patent Office				
	74	0 265 556 A1	04.05.88	European Patent Office				
	75	0 270 822 A1	15.06.88	European Patent Office				
	76	0 290 799 A2	17.11.88	European Patent Office				

EXAMINER	/Russell Kallis/	DATE CONSIDERED	02/03/2009
*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.			

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /RK/

Substitute form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number		To Be Assigned	
		Filing Date		September 21, 2001	
		First Named Inventor		Mark A. Conkling	
		Group Art Unit		09/913,340	
Examiner Name		Attorney Docket Number		5051.338CT	
Sheet	1	of			

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code (If known)			
	1	5,107,065		Shewmaker et al.	4/21/92	
	2	5,254,800		Bird et al.	10/19/93	
	3	5,280,205		Nakatani et al.	11/9/93	
	4	5,356,799		Fabijanski et al.	10/18/94	
	5	5,365,015		Grierson et al.	11/15/94	
	6	5,369,023		Nakatani et al.	11/29/94	
	7	5,451,514		Boudet et al.	9/19/95	
	8	5,453,566		Shewmaker et al.	9/26/95	
	9	5,610,288		Rubenstein	3/11/97	
	10	5,684,241		Nakatani et al.	11/4/97	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Office	Number	Kind Code (If known)				
	11		WO 00/67558		PCT	2000/11/16		
	12		WO 93/0546		PCT	1993/01/01		
	13		WO 94/28142		PCT	1994/12/08		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS					T
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published			
	14	Burtin, D., et al., <i>Over expression of Arginine Decarboxylase in Transgenic Plants</i> , <u>Biochem. J.</u> , Vol. 325 (Part 2), pp. 331-337 (1997).			
	15	Bush, et al., <i>Nicotine Biosynthetic Enzymes of Burley Tobacco</i> , <u>Tobacco Abstracts</u> , Vol. 24, pg. 260 (1980)			
	16	Bush, et al., <i>Physiological Aspects of Genetic Variation in Nicotine Content in Tobacco (Nicotiana tabacum)</i> , <u>Tobacco Abstract</u> , Vol. 23, pg. 30 (1979).			
	17	Conkling, et al., <i>Isolation of transcriptionally regulated root-specific genes from tobacco</i> , <u>Plant Physiology</u> , Vol. 93, No. 3, pp. 1203-1211 (1990)			
	18	Copy of International Search Report – date of mailing 22/10/98			
	19	Cornelissen, et al., <i>Both RNA Level and Translation Efficiency are Reduced by Anti-Sense RNA in Transgenic Tobacco</i> , <u>Nucleic Acids Res.</u> , Vol. 17, No. 3., pp. 833-843 (1989).			
	20	Crowley, et al., <u>Cell</u> , Vol. 43, pp. 633-641 (1985)			
	21	Cuozzo, et al., <i>Viral Protection in Transgenic Tobacco Plants Expressing the Cucumber Mosaic Virus Coat Protein Or Its Antisense RNA</i> , <u>Biotechnology</u> , Vol. 6, pp. 549-557 (1988)			
	22	Delauney, et al., <i>A Stable Bifunctional Antisense Transcript Inhibiting Gene Expression in Transgenic Plants</i> , <u>Proc. Natl. Acad. Sci. USA</u> , Vol. 85, pp. 4300-4304 (1988)			
	23	Ecker, et al., <i>Inhibition of Gene Expression in Plant Cells by Expression of Antisense RNA</i> , <u>Proc. Natl. Acad. Sci. USA</u> , Vol. 83, pp. 5372-5376 (1986)			
	24	Feth, et al., <i>Regulation in Tobacco Callus or Enzyme Activities of the Nicotine Pathway</i> , <u>Planta</u> , Vol. 168, pp. 402-407 1986			
	25	Hamill, et al.; <i>Over-expressing a yeast ornithine decarboxylase gene in transgenic roots of Nicotiana rustica can lead to enhanced nicotine accumulation</i> , <u>Plant Molecular Biology</u> , Vol. 15, pp. 27-38 (1990)			
	26	Hemenway, et al., <i>Analysis of the Mechanism of Protection in Transgenic Plants Expressing the Potato Virus x Coat Protein or Its Antisense RNA</i> , <u>EMBO J.</u> , Vol. 7, pp. 1273-1280 1988			
	27	Hibi, et al., <i>Gene Expression in Tobacco Low-Nicotine Mutants</i> , <u>Plant Cell</u> , Vol. 6, pp. 723-735 (1994)			
	28	Holmberg, et al.; <i>Transgenic tobacco expressing Vitreoscilla hemoglobin exhibits enhanced growth and altered metabolite production</i> , <u>Nature Biotechnology</u> , Vol. 15, pp. 244-247 (1997)			
	29	Hughes, Kelly T., et al., <i>The Salmonella typhimurium nadC Gene: Sequence Determination by Use of Mud-P22 and Purification of Quinolinate Phosphoribosyltransferase</i> , <u>Journal of Bacteriology</u> , Vol. 175, No. 2, pp. 479-486 (Jan. 1993)			
	30	Izant, et al., <i>Constitutive and conditional Suppression of Exogenous and Endogenous Genes by Anti-Sense RNA</i> , <u>Science</u> , Vol. 229, pp. 345-352 (1985)			

Examiner Signature	/Russell Kallis/	Date Considered	02/03/2009
--------------------	------------------	-----------------	------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /RK/